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Chapter No. 95

10/SS02/A280SG

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## ***SENATE BILL NO. 3127***

Originated in Senate

*Demetrius*

Secretary

SENATE BILL NO. 3127

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2011.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2010, and ending June 30, 2011 ..... \$ 185,916,669.00.

**SECTION 2.** The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2010, and ending June 30, 2011 ..... \$ 885,791,464.00.

**SECTION 3.** Any escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

**SECTION 4.** With the funds appropriated and authorized for expenditure under the provisions of Section 1 and Section 2, the University of Mississippi Medical Center shall maintain the School

of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

**SECTION 5.** Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

**SECTION 6.** Of the funds appropriated in Section 1, and the funds authorized to be expended in Section 2, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

**SECTION 7.** Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-103, Mississippi Code of 1972.

**SECTION 8.** It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2012 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2011 budget request process.



**SECTION 9.** Of the funds authorized for expenditure in Section 2, Three Million Five Hundred Thirty Thousand Four Hundred Thirty-nine Dollars (\$3,530,439.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

**SECTION 10.** Of the funds appropriated under the provisions of Section 2, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars (\$2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

**SECTION 11.** Of the funds appropriated under the provisions of Section 2, Six Hundred Thousand Dollars (\$600,000.00) shall be derived from the Children's Justice Fund held in the State Treasury for the purpose of defraying the expenses of the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children.

**SECTION 12.** It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

**SECTION 13.** It is legislative intent to ensure beneficial information reaches as many Mississippians as possible. Further, it is legislative intent that the expenditure of public funds for this purpose be accomplished in an efficient and effective manner.

Therefore, state agencies as standard procedure, will observe the following criteria:

- (a) Develop goals and desired result for a campaign.

(b) Evaluate effectiveness through respected advertising standards, including market reach and cost-effectiveness.

(c) Seek public service announcements, which would be aired by media without cost.

(d) Itemize and justify professional assistance and related expenses for creative and production costs outside of the actual media expenditures.

(e) Utilize Mississippi-owned media companies when feasible.

**SECTION 14.** Of the funds appropriated in Section 1, One Million One Hundred Sixty Thousand Five Hundred Dollars (\$1,160,500.00) is hereby provided for the Rural Physicians' Scholarship Program as described in House Bill 1465, 2007 Regular Session; and Nine Hundred Thousand Dollars (\$900,000.00) of the funds provided in this section are for scholarships.

**SECTION 15.** Of the funds appropriated in Section 2, the sum of Five Million Dollars (\$5,000,000.00) is hereby appropriated for the University of Mississippi Medical Center Cancer Institute.

**SECTION 16.** Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars (\$700,000.00) is hereby appropriated for a Comprehensive Tobacco Center at the University of Mississippi Medical Center.

**SECTION 17.** Of the funds provided within this act, no former employee who is receiving State of Mississippi retirement benefits shall be hired under contract for an amount exceeding Twenty Thousand Dollars (\$20,000.00) a year without prior approval by an agency's proper governing board or authority. Upon approval of such contracts, a written report shall be submitted detailing the cost and need of contract services to the Chairmen and members of the Senate and House Appropriations Committees.

**SECTION 18.** It is the intention of the Legislature that this agency shall have the authority to receive, budget and expend



funds from any source that may become available to them as a result of the passage of the American Recovery and Reinvestment Act of 2009 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Executive Director of the Department of Finance and Administration shall have the authority to approve escalations of funds and employee positions using funds from any source available due to the passage of the American Recovery and Reinvestment Act of 2009.

The Executive Director of the Department of Finance and Administration shall immediately send notice of the approval of such budget escalation to the House of Representatives Appropriations Committee, the Senate Appropriations Committee and the Legislative Budget Office. Within fifteen (15) days of such approval, the Executive Director of the Department of Finance and Administration shall ensure that the Legislative Budget Office receives detailed and accurate information about the amount and use of federal and special source funds by state agencies as a result of the passage of the American Recovery and Reinvestment Act of 2009.

**SECTION 19.** Of the funds authorized in Section 2, the following sum is anticipated to be derived from funds provided pursuant to the American Recovery and Reinvestment Act of 2009 ..... \$ 19,905,438.00.

If the amount that ultimately becomes available for this agency from the American Recovery and Reinvestment Act of 2009 differs from the above stated amount, the agency shall immediately report the actual amount to the Legislative Budget Office and the agency may use the American Recovery and Reinvestment Act of 2009 escalation authorization contained within this act to increase the expenditure authority as necessary.

SECTION 20. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2010.

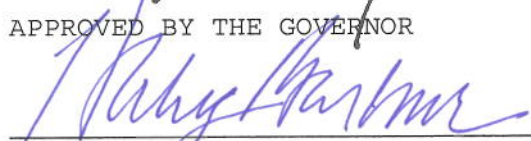
PASSED BY THE SENATE  
April 21, 2010

  
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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
April 21, 2010

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

  
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GOVERNOR

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